

IN THE MATTER OF
GARY LEWIS
and the entity operating as
NEW ORLEANS FUNERAL AND
CREMATION SERVICE
NEW ORLEANS, LOUISIANA

FILED: *January 9, 2025*

LOUISIANA STATE BOARD
OF EMBALMERS
AND FUNERAL DIRECTORS

Case No. 23.24.0024

Kim W. Michel
CLERK

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND BOARD ORDER

This matter came before the Louisiana State Board of Embalmers and Funeral Directors for hearing on December 11, 2024.

Present:

CHANEL R. DEBOSE, Prosecuting Attorney, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

KIM MICHEL, Executive Director, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

CARRIE L. JONES, General Counsel, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

JOHN W. BECKNELL, III, Hearing Officer;

INEZ PIERRE, Complainant;

ROBERT L. MARRERO, Attorney for Gary Lewis and the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**;

GARY LEWIS, owner of the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**, appearing on behalf of himself and the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**; and

LORANZO MAGEE, former manager of the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**, appearing on behalf of himself and the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**.

After considering the law, the evidence, the testimony of the parties and witnesses, and the entire record of these proceedings which was made part of the record before the Board on December 11, 2024.

The Louisiana State Board of Embalmers and Funeral Directors rules as follows:

FINDINGS OF FACT

That **LORANZO MAGEE (U-1755)** is a licensee of this Board and former manager of **NEW ORLEANS FUNERAL AND CREMATION SERVICE, (#2975)**, New Orleans, Louisiana, thereby subject to the jurisdiction of this Board.

That evidence presented by the parties, the evidence contained within the record of these proceedings, together with the testimony of the parties and witnesses made within the presentation, supports the Board's conclusion that Loranzo Magee, individually and as manager of the entity operating as New Orleans Funeral and Cremation Service is guilty of violating the following statute: LA R.S. 37:848 (A) **for allowing the owner of New Orleans Funeral and Cremation Service, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, the daughter and legal next of kin of the decedent.**

As to **GARY LEWIS**, the Louisiana State Board of Embalmers and Funeral Directors finds that **GARY LEWIS** is the owner and designated agent of the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE, (#2975)**, New Orleans, Louisiana, and the entity is subject to the jurisdiction of this Board.

That evidence presented by the parties, the evidence contained within the record of these proceedings, together with the testimony of the parties and witnesses made within the presentation, supports the Board's conclusion that Gary Lewis in his capacity as owner, and designated agent of the entity operating as New Orleans Funeral and Cremation Service and New Orleans Funeral and Cremation Service, a licensed entity subject to the jurisdiction of this Board, violated following statute: LA R.S. 37:848 (A) **for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, the daughter and legal next of kin of the decedent.**

CONCLUSIONS OF LAW

“Funeral directing” is defined in LA R.S. 37:831(42) as the operation of a funeral home, or, by way of illustration, any service whatsoever connected with the management of funerals, or the supervision of hearses or funeral cars, the purchase of caskets or other funeral merchandise, and retail sale and display thereof, the cleaning or dressing of dead human bodies for burial, **and the performance or supervision of any service or act connected with the management of funerals from time of death until the body or bodies are delivered to the cemetery, crematory, or other agent for the purpose of disposition.** (Emphasis added.)

Mrs. Pierre initially utilized New Orleans Funeral and Cremation Service’s online funeral planning option; however, she testified that she had issues with the online arrangements and made multiple telephone calls and follow-up visits to the establishment in which she interacted with Gary Lewis. One of these interactions included a telephone call that she received from Gary Lewis to resolve a next of kin dispute and to arrange for the appropriate paperwork to be provided to New Orleans Funeral and Cremation Service before the decedent could be cremated. Gary Lewis’ interactions with Mrs. Pierre constituted the practice of funeral directing. Therefore, the Board concluded that Gary Lewis engaged in the unlawful practice of funeral directing. The Board further concluded that the manager of the firm, Loranzo Magee, was ultimately responsible for the unlawful actions of Gary Lewis.

As to **Loranzo Magee, Gary Lewis, and the entity operating as New Orleans Funeral and Cremation Service**, the Board members found that Loranzo Magee, Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service violated LA R.S. 37:848 (A) by allowing Gary Lewis, a person not licensed by the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre.

BOARD ORDER

Accordingly, for the reasons as stated and noted herein above;

IT IS ORDERED BY THE BOARD that Loranzo Magee (U-1755), Gary Lewis, owner of the entity operating as New Orleans Funeral and Cremation Service, and the entity operating as New Orleans Funeral and Cremations Service (#2975) violated LA R.S. 37:848 (A) **for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to**

conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, the daughter and legal next of kin of the decedent.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to this violation, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, or by imprisonment for not less than thirty days nor more than one-hundred eighty days for each offense, or both such fine and imprisonment; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. As it relates to LA R.S. 37:848 (A) for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield, Loranzo Magee is fined the sum of five-hundred (\$500.00) dollars for the above cited violation. IT IS FURTHER ORDERED that the fine is suspended with respect to Loranzo Magee.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to these violations, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, or by imprisonment for not less than thirty days nor more than one-hundred eighty days for each offense, or both such fine and imprisonment; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. Pursuant to this statute Loranzo Magee is to reimburse the Board's expenses as follows: court reporter, Dawn Tupper, the sum of one thousand, seven hundred, eighty-seven dollars and fifty cents (\$1,787.50); the hearing officer, John W. Becknell, III the sum of one-thousand, six hundred, twenty (\$1,620.00) dollars; General

Counsel, Carrie L. Jones the sum of three thousand, seventy-seven dollars and seventy-two cents (\$3,077.72); and prosecuting attorney, Chanel Robinson Debose, the sum of eight thousand, two hundred, ninety-one dollars and twenty-five cents (\$8,291.25) for the handling of this matter from July 10, 2024, the date the matter was accepted by the Board through the date of this Order.

IT IS FURTHER ORDERED BY THE BOARD that Loranzo Magee is to pay twenty-five (25%) percent of the total assessed fees. As it relates to Loranzo Magee, the total assessed fees in this matter are three thousand, six hundred, ninety-four dollars and twelve cents (\$3,694.12).

IT IS FURTHER ORDERED BY THE BOARD that the above fines and fees in the total amount of four thousand, one hundred, ninety-four dollars and twelve cents (\$4,194.12) assessed to Loranzo Magee are hereby suspended.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to these violations, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, or by imprisonment for not less than thirty days nor more than one-hundred eighty days for each offense, or both such fine and imprisonment; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. As it relates to LA R.S. 37:848 (A) for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service are fined the sum of two thousand, five-hundred (\$2,500.00) dollars for the above cited violation;

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to these violations, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, or by

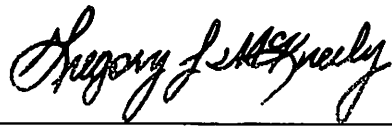
imprisonment for not less than thirty days nor more than one-hundred eighty days for each offense, or both such fine and imprisonment; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. Pursuant to this statute Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service are to pay the court reporter, Dawn Tupper, the sum of one-thousand, seven hundred, eighty-seven dollars and fifty cents (\$1,787.50); the hearing officer, John W. Becknell, III the sum of one thousand, six hundred, twenty (\$1,620.00) dollars; general counsel, Carrie L. Jones the sum of three thousand, seventy-seven dollars and seventy-two cents (\$3,077.72); and prosecuting attorney, Chanel Robinson Debose, the sum of eight thousand, two hundred, ninety-one dollars and twenty-five cents (\$8,291.25) for the handling of this matter from July 10, 2024, the date the matter was accepted by the Board through the date of this Order.

IT IS FURTHER ORDERED BY THE BOARD that Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service are to pay the assessed fine of two thousand, five hundred (\$2,500.00) dollars for the above cited violation and seventy-five (75%) percent of the total assessed fees. As it relates to Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service, the total assessed fees in this matter are eleven thousand, eighty-two dollars and thirty-five cents (\$11,082.35).

IT IS FURTHER ORDERED BY THE BOARD that the total fines and fees assessed to Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service is thirteen thousand, five hundred, eighty-two dollars and thirty-five cents (\$13,582.35). The above assessed fines, court reporter fees, and attorneys' fees are to be paid by Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service within thirty (30) days of receipt of this Order.

IT IS FURTHER ORDERED BY THE BOARD that should the costs not be received by the Board within thirty (30) days of the receipt of this Order, then the license of the establishment operating as New Orleans Funeral and Cremation Service, New Orleans, Louisiana shall be suspended until such time that all costs are paid.

BY ORDER OF THE BOARD



SECRETARY

Metairie, Louisiana
January 9 , 2025

CERTIFICATE OF SERVICE

**On _____, 2025, I served a true
copy of the within Findings of Fact and Decisions of the Board on
_____ at _____, Louisiana
herein named person, in the parish of _____, Louisiana**

Received by _____

On _____ (Date)

Returned _____, 2025

**_____
Investigator/Inspector/Executive Director/Representative**